

Valerie M. Constance
7225 Warren Road
Ann Arbor, Michigan 48105
(734) 662-1563

September 7, 2011

Senate Economic Development Committee
125 W. Allegan Street
Lansing, Michigan 48933
FAX (517) 373-5376

Attention: Traci Gorman
Committee Clerk

Honorable Senators:

I, Valerie M Constance, part-time instructor and outside contractor for Wayne County Community College District, wish to state my position regarding HB4452-Rep. Yonker revision of Employment Security, benefits eligibility of educational contractors employees.

I believe higher education outside contractors should be allowed to collect unemployment benefits, and this letter will cite the law and present my reasons:

According to the 2003 Amendments to Michigan Employment Security Act, Sec. 27.1 p.109,

"With respect to service performed in an instructional . . . capacity for an institution of higher education. . . benefits shall not be paid to an individual based on those services . . . that commences during the period between 2 successive academic terms . . . to an individual if the individual performs the service in the first of the academic years or terms and if there is a contract of reasonable assurance that the individual will perform service in an instructional . . . capacity . . . in the second of the academic year or term; whether or not the terms are successive.

As a part-time instructor, I never know whether I will be employed any semester; nor do I know how many classes I will receive, even if I have signed up for classes at class selection for a number of reasons. When I select courses, I am not given a contract to teach during any semester; all I have is a piece of paper with proposed courses that are available. Availability at the time of selection does not constitute a reasonable assurance that the class will actually run. For example, I attended a course selection meeting in May for Summer 2011, but there were no courses from which to select from because this year the Obama Administration cancelled all Pell Grants for use in summer school. Wayne County Community College District tears to Pell Grant eligible low-income students from Detroit. As a result of this legislation, enrollment plummeted for Summer 2011. I also attended a course selection meeting last year for teaching summer semester, and I was actually given

classes, but they were cancelled last minute as well; but this time with no explanation. It's usually because of low enrollment.

Then, even if a course does fill, I still do not have reasonable assurance that I will be the one teaching it. For instance, if a full-time instructor's class fails to fill, the college will, without any prior notice, take my class, right up to the first day of class, and give it to a full time instructor to whom they are contractually obligated to provide courses. Adjuncts have the least job security of any outside contractors.

In addition, my employer and I both pay into Unemployment Insurance and if my employer doesn't challenge my collecting, then the state shouldn't either.


Does any of this sound *like reasonable assurance*?

As a result of not having any reasonable assurance that I would be given courses for the summer, (I never try to collect over the Christmas holiday) and because I had not selected any courses for Fall 2011, I applied for unemployment benefits from 5/9/11 to 08/27/11 at which point I received a notice August 9, 2011, which states that I was paid improperly and owe restitution of \$2,730.00 and an additional \$350.00 in Federal unemployment benefits. So I requested a redetermination of my benefits because if I am required to pay this back, *I will owe every cent that I earn in the Fall semester* and this will destabilize me financially. I only earn \$20,000.00 a year if I work summers, however for the past two years I haven't. How is a person who is paid so little expected to subsist on this salary without the help of unemployment through uncertain job availability conditions? My creditors don't let me not pay my bills just because I'm unemployed. Additionally, my husband has suffered two massive heart attacks and his salary for last year was \$6,000. We are eligible for cash assistance, food stamps, and welfare, none of which we collect.

I have searched for work and continue to search for work. You would think that a person with three degrees: a BS in English with 6-12 Michigan Teaching Certification, a Masters of Arts in Written Communication and a Specialist of Arts in Educational Leadership, and fifteen years of college teaching experience would be able to find work; but I cannot in the State of Michigan.

I believe that having a *reasonable assurance* means that if I select and receive courses and actually follow through and teach them, then that is a reasonable assurance, without being a guarantee because, to me, a guarantee is that I am a full-time professor with a contract and perhaps benefits and the college gives me five classes every semester, which they do not.

Sincerely,



Valerie M. Constance